

***California
Commission on Teacher Credentialing***

***Meeting of
December 3-4, 2003***

AGENDA ITEM NUMBER: GS – 10

COMMITTEE: General Session

TITLE: Timeline to Discontinue the Issuance of Emergency Permits

 X Action

 Information

Strategic Plan Goal(s) :

Provide leadership in exploring multiple, high quality routes to prepare professional educators for California's schools.

Approved By:

Dale A. Janssen, Director
Certification, Assignment and
Waivers Division

Date: 11/13/03

Authorized By:

Sam W. Swofford, Ed.D.
Executive Director

Date: 11/13/03

Timeline to Discontinue the Issuance of Emergency Permits

November 13, 2003

Summary

At its October meeting, the Commission took action to suspend its August action to discontinue the issuance of emergency permits in NCLB core academic areas in Title I classrooms as of September 2, 2003. At its November meeting the Commission held a Study Session to discuss the issues related to the implementation of phasing out emergency permits. At the November Study Session twelve organizations made presentations about emergency permits. The Commission directed staff to consult with stakeholders and return in December with options for the Commission's consideration regarding a timeline to discontinue the issuance of emergency permits and address methods to assist employing agencies in discontinuing emergency permits.

Fiscal Impact

The Commission budget supports the cost of these activities and no budget augmentation is needed to continue program activities.

Policy Issues to be Resolved

What timeline should the Commission apply to discontinue emergency permits?

Background

Teachers serving on emergency permits are not considered compliant with the No Child Left Behind (NCLB) law. As of the first day of school for the 2002-03 school year NCLB required all teachers being placed in classrooms receiving Title I funding to be "highly qualified." By the end of the 2005-06 school year, all elementary and secondary teachers (in the core areas of English, reading, language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography) serving on emergency permits will not be in compliance with the requirements of NCLB.

The Commission has discussed the issuance of emergency permits at its August, October and November Commission meetings. At the October meeting the Commission took action to discontinue the issuance of emergency permits and credentials waivers consistent with the requirements of NCLB. The NCLB deadline for full compliance of having a highly qualified teacher in every core academic classroom is the end of the 2005-2006 school year.

The testimony at the November Study Session from several of the organizations stated that there would be a continuing need for a document that addressed unanticipated staffing needs. All organizations supported the July 1, 2006 date as long as there was some flexibility to staff classrooms at the local level. This agenda item discusses the timeline to discontinue emergency permits, but does not discuss the criteria for a document that would be available for unanticipated staffing needs. Those criteria will be presented for discussion at future Commission meetings.

Education specialist emergency permits and credential waivers have been excluded from these discussions. Currently the U.S. Congress is in the process of reauthorizing the Individuals with Disabilities Education Act (IDEA), which is intended to define a “highly qualified” special education teacher. Options pertaining to education specialist emergency permits and credential waivers will be presented to the Commission after the reauthorization of IDEA.

Timeline Options for the Discontinuance of Emergency Permits

Below are three options the Commission may wish to consider in implementing its action to discontinue emergency permits. (A graphic of these options can be found in Appendix A.)

	July 1, 2004	July 1, 2005	July 1, 2006
Option One			
Initial Issuance	No longer issue		
Renewal	No longer issue		

Consideration: Under this option there may be insufficient time to develop criteria and complete the regulatory process for an alternative document by July 1, 2004.

Option Two			
Initial Issuance	No longer issue		
Renewal	Continue Issuance with statement that permit may be renewed one more time to expire on June 30, 2006	Continue to issue throughout school year, however all permits will expire on June 30, 2006	No longer issue

Consideration: Under this option there may be insufficient time to develop criteria and complete the regulatory process for an alternative document by July 1, 2004.

Option Three			
Initial Issuance	Continue Issuance with statement that permit may be renewed one more time to expire on June 30, 2006	No longer issue	
Renewal	Continue Issuance with statement that permit may be renewed one more time to expire on June 30, 2006	Continue to issue throughout school year, however all permits will expire on June 30, 2006	No longer issue

The regulatory process requires the filing of a Rulemaking File that provides a 45-day public comment period prior to holding a public hearing. After the public hearing the

Office of Administrative Law (OAL) has 30 calendar days to review the file. If approved by OAL there is a 30-day period when the regulations are filed with the Secretary of State before the regulations can take effect.

Tools Available to Reduce Emergency Permits

Senate Bill 837

Senate Bill 837 (Statutes of 2001, Chapter 585, Scott) outlined specific actions an employing agency must take in order to request emergency permits. This bill was mentioned by two of the organizations that testified at the November Study Session. The statute, Education Code section 44300(a)(3)(A) reads as follows:

Annual documentation that the district has implemented in policy and practices a process for conducting a diligent search that shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring the incentives included in the Teaching As A Priority Block Grant established pursuant to Section 44735, participating in the state and regional recruitment centers established pursuant to Sections 44751 and 90530, and participating in job fairs in this state, but has been unable to recruit a sufficient number of certificated teachers, including teacher candidates pursuing full certification through internship, district internship, or other alternative routes established by the commission.

Two of the requirements, Teaching As A Priority Block Grant and state and regional recruitment centers were affected by the state budget crisis. Neither of these received continued funding for the 2003-2004 fiscal year and consequently are not available. All of the other requirements are still available to employing agencies and are currently required in order for the employing agency to file a Declaration of Need for Fully Qualified Educators.

Transition to Teaching

During the 2001-2002 school year the Commission participated with San Diego City Unified School District and Oakland Unified School District in the Transition to Teaching pilot project to examine the challenges and develop strategies necessary to reduce or eliminate emergency permits. The results from the pilot study were very positive. Both participating districts showed that the use of emergency permits could be diminished in a relatively short period of time using the Transition to Teaching program. Oakland reduced its use of emergency permits by 80 percent and San Diego had a 90 percent reduction.

The key to success is the school districts' ongoing commitment, via policy and practice, to put a fully credentialed teacher in every classroom. This commitment was made by the school board, the superintendent and human resources personnel.

The participants in the pilot project found that a series of steps needed to be taken to be successful in reducing emergency permits. Those steps include:

- Know the name and work assignment of every person serving on an Emergency Permit;
- Know the number of years that an individual has served on an Emergency Permit;
- For those serving on Emergency Permits for two or more years, know what teacher preparation program in which they are enrolled;
- Know the types of courses the Emergency Permit holder is enrolled – subject matter or pedagogy;
- Develop partnerships with college and universities to assure preparation opportunities;
- Assure all Emergency Permit holders do not qualify for pre-intern or intern.

By following these six steps, the two districts participating in the pilot were able to substantially reduce the number of emergency permits.

Leveraging Strategies

The testimony provided by Los Angeles Unified School District at the November Study Session illustrated that combining the tenets of SB837 and Transition to Teaching led to success in reducing the number of emergency permits. To continue to be successful, districts need to make a continuing commitment to reducing emergency permits.

The Commission also offers the pre-intern program as an alternative to emergency permits. Due to the state budget crisis, the pre-intern program is fully subscribed and there will not be sufficient funds to expand the program in 2004-2005 to transfer all of the emergency permit holders to the pre-intern program. A complete report on the pre-intern program will be discussed under the Preparation Standards Committee at this Commission meeting.

SB 837 Follow Up

After SB 837 was signed by the Governor, the Certification, Assignment and Waivers Division staff prepared a list of school districts with 50 or more employees that employed 20% or more of its staff on emergency permits for four years. (See list below.) These districts were identified for a compliance audit. On January 4, 2002, the Executive Director sent a letter (See Appendix B.) to these districts explaining the recruitment requirements in SB 837 and requesting completion of a survey regarding the districts current recruitment policies and methods they have developed to use alternative certification routes, namely pre-intern and internship credential holders.

Alhambra City Elementary School District
 Barstow Unified School District
 Bassett Unified School District
 Centinela Valley Union High School District
 Compton Unified School District
 Delano Joint Union High District
 Garvey Elementary School District
 Hacienda La Puente Unified School District

Hawthorne School District
Inglewood Unified School District
Lennox Elementary School District
Lindsay Unified School District
Little Lake City Elementary
Los Nietos Elementary School District
Lynwood Unified School District
Paramount Unified School District
Pasadena Unified School District
Pixley Union Elementary School District
Pomona Unified School District
Ravenswood City Elementary School District
Valle Lindo Elementary School District
Whittier City School District

By May 2002 all districts had returned the survey. The results of the survey showed that almost all of the districts utilize pre-interns, and internships to help reduce the number of emergency permits. The districts also utilized the Teacher Recruitment Centers as well as job fairs.

The next step was to offer a workshop on May 21, 2002 on methods to reduce dependence upon emergency permit teachers. All of the districts on the list from Los Angeles County were invited to attend. The Los Angeles County Teacher Recruitment Center agreed to co-sponsor the workshop. Commission staff presented findings from the San Diego Unified School District and Oakland Unified School District Transition to Teaching pilot project. Pasadena Unified also presented the group with methods they were using to reduce the number of emergency permits. They had reduced the number of emergency permit hires by five percent. Of the seventeen districts that were invited to workshop, thirteen districts attended.

The effort appears to have been helpful to the districts. Out of the 22 districts audited, preliminary data indicates that all of the districts reduced emergency permits, one district by as much as 82%. Only four of the 22 districts are still over the 20% mark, the remaining 18 are below 20%, one is at 4% of certificated staff on emergency permits and waivers. While the data is preliminary, there is a clear indication that these districts made a concerted effort to reduce the number of emergency permits.

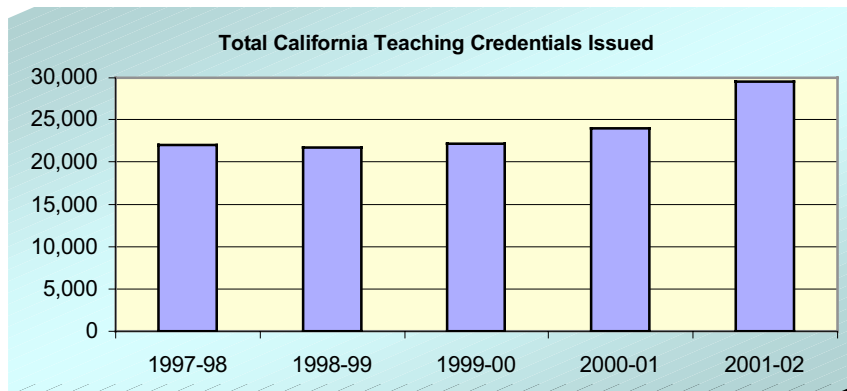
Supply of Newly Credentialed Teachers

Another area of concern regarding the discontinuance of emergency permits is whether there will be a sufficient number of credentialed teachers available to replace the emergency permit teachers. The issue of supply and demand for the teaching profession has been difficult to predict since there is no statewide organization that collects the demand data. Because the Commission is the sole source of issuing credentials, the

Commission has the supply side data that is published yearly in the *Teacher Supply in California, A Report to the Legislature*. The most recent edition is the fifth annual report that includes data from 2001-2002. That report showed that the supply of teachers in California increased by 23% from fiscal years 2000-01 to 2001-02 from 23,926 to 29,536. Of these teachers, 46% had previously held an intern credential, a pre-intern certificate, or an emergency permit and were teaching in California classrooms.

Total California Teaching Credentials Issued

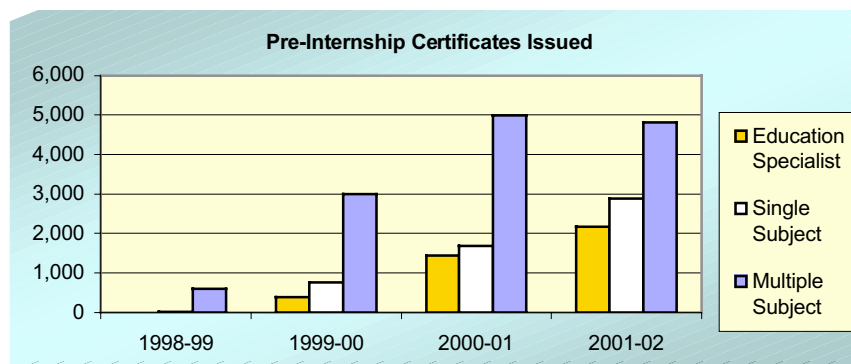
	<u>1997-98</u>	<u>1998-99</u>	<u>1999-00</u>	<u>2000-01</u>	<u>2001-02</u>	<u>% Change</u>
California IHE Prepared	16,767	16,993	17,555	18,397	23,225	26.2%
District Prepared	393	508	703	805	682	-15.3%
Out-of-State Prepared	4,837	4,216	3,864	4,724	5,629	19.2%
Totals	21,997	21,717	22,122	23,926	29,536	23.4%



As stated above, the Commission offers the pre-internship certificate as an alternative to emergency permits. The pre-intern program provides funds for school districts to offer training in basic classroom skills such as classroom management and organization, provide mentoring and help the participants meet credentialing subject matter requirements to enter an internship program. Participation in the pre-intern program showed a 1.6% increase in certificates issued from 2000-01 to 2001-02 from 8,092 to 9,841.

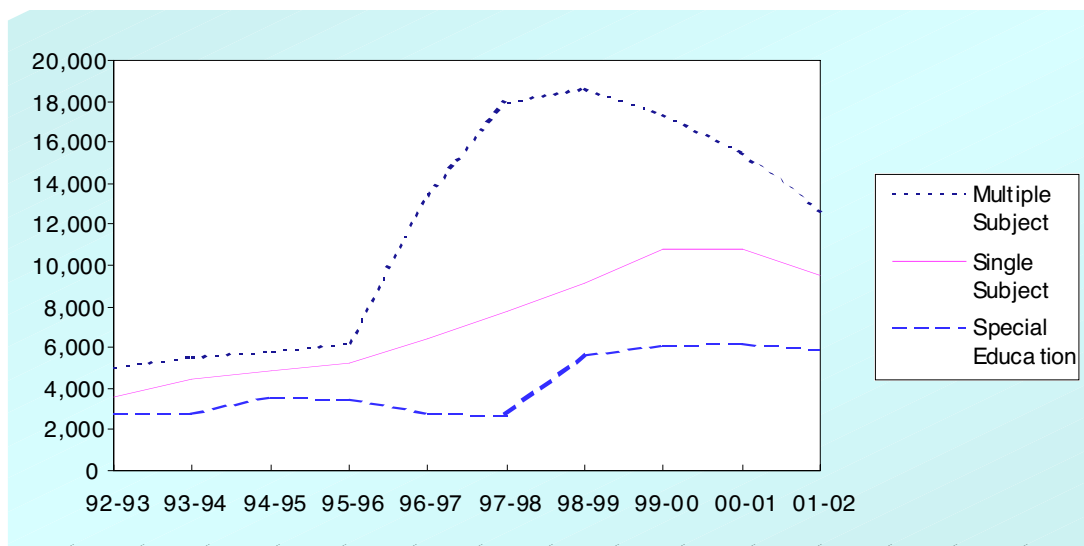
Pre-Internship Certificates Issued

	<u>1998-99</u>	<u>1999-00</u>	<u>2000-01</u>	<u>2001-02</u>	<u>% Change</u>
Multiple Subject	597	2,987	4,981	4,799	-3.7%
Single Subject	12	760	1,677	2,875	71.4%
Education Specialist	0	395	1,434	2,167	51.1%
	609	4,142	8,092	9,841	21.6%



The Commission also publishes an annual report on emergency permits and credential waivers. The last report included data from 2001-02. For the second consecutive year the total number of emergency permits declined. The number of emergency permits decreased by 13% from fiscal years 2000-01 to 2001-02 from 33,656 to 29,083. The preliminary data for 2002-03 shows a further decline in the number of emergency permits.

Emergency Permits Issued During the Years 1992-93 through 2001-02



Emergency Permits Issued, 1997-98 through 2001-02

Permit Type	1997-98	1998-99	1999-00	2000-01	2001-02	% Change from 00-01
Special Education	2,758	5,653	6,158	6,249	5,970	- 4.5%
Total Multiple Subject	17,981	18,676	17,421	15,505	12,610	- 18.7%
Multiple Subject	16,285	16,871	15,279	12,964	10,081	- 22.2%
CLAD Emphasis*	896	1,221	1,654	2,129	2,355	10.6%
BCLAD Emphasis**	742	584	488	412	251	- 39.1%
Total Single Subject	7,779	9,167	10,730	10,819	9,546	- 11.8%
Single Subject	7,408	8,739	10,014	9,654	8,153	- 15.6%
CLAD Emphasis*	179	376	677	1,126	1,433	27.3%
BCLAD Emphasis**	63	52	39	39	30	- 23.1%
Library Media	148	195	239	239	232	- 2.9%
Clinical Rehabilitative	164	185	210	86	53	- 38.4%
Resource Specialist	1,458	869	463	263	153	- 41.8%
BCLAD**	9	9	7	28	28	0.0%
CLAD*	118	145	197	376	491	30.6%
Total	30,415	34,899	35,425	33,565	29,083	- 13.4%

*Cross-cultural, Language and Academic Development

** Bilingual, Cross-cultural, Language, and Academic Development

There was considerable interest on both the part of the Commission and the constituent organizations regarding the types of single subject emergency permits. The following table provides five years of data of the single subject authorizations on emergency permits.

Single Subject Authorizations on Emergency Permits

Subject	1997-98	1998-99	1999-00	2000-01	2001-02	% of 2001- 2002 Total
Agriculture	25	22	33	23	26	.2%
Art	155	228	261	273	248	2.3%
Business	199	205	264	296	275	2.5%
English	1,577	1,958	2,349	2,428	2,273	20.1%
Foreign Language Total (Table 4B)	663	727	845	851	716	6.6%

Subject	1997-98	1998-99	1999-00	2000-01	2001-02	% of 2001-2002 Total
Health Science	116	120	131	145	149	1.4%
Home Economics	62	63	66	81	63	.6%
Industrial Technology Ed.	76	74	79	67	60	.6%
Mathematics	1,580	1,815	2,018	1,885	1,716	15.8%
Music	361	453	534	535	484	4.5%
Physical Education	756	837	1041	1,173	1,066	9.8%
Science Total (Table 4A)	2,070	2,407	2,728	2,734	2,106	19.4%
Social Science	1,289	1,573	1,914	1,975	1,678	15.5%
Total	8,933	10,486	12,267	12,469	10,860	100.0%

The following table reflects the distribution of emergency permits for science by the specific science areas. The Commission revised the subject areas for science in 1995 to include the four specific areas of biological sciences, chemistry, geosciences and physics. The subjects, life science and physical science, were eliminated. However, individuals who were enrolled in programs for those credentials and had obtained an emergency permit for those subjects prior to the change were allowed to continue renewing those documents in order to give them time to complete the program. Therefore, emergency permits in those subjects have steadily declined since 1995 as those individuals earn their credentials. Slightly over half of the science permits were issued for biological sciences.

Science Emergency Permits

Subject	1997-98	1998-99	1999-00	2000-01	2001-02	% of 2001-2002 Total
Life Science	113	74	49	34	21	1.0%
Physical Science	106	86	64	45	22	1.0%
Science: Biological Science	1,015	1,247	1,530	1,518	1,189	56.5%
Science: Chemistry	498	616	666	690	524	24.9%
Science: Geosciences	94	111	135	152	126	6.0%
Science: Physics	244	273	284	292	224	10.6%
Science Total	2,070	2,407	2,728	2,731	2,106	100.0

Permits for foreign languages accounted for 6.6% of the subjects. The following table provides information on the languages for which those permits were issued. The numbers show that permits for teaching Spanish accounted for 82.5% of the foreign language permits while French constituted 9.8% of those documents and 7.7% was divided among the nine remaining languages.

Foreign Language Emergency Permits

Subject	1997-98	1998-99	1999-00	2000-01	2001-02	% of 2001-2002 Total
Foreign Language: Cantonese	0	0	0	5	0	0.0%
Foreign Language: Chinese	7	5	6	3	2	0.3%
Foreign Language: French	57	79	98	97	70	9.8%
Foreign Language: German	10	18	15	15	15	2.1%
Foreign Language: Italian	0	3	4	3	3	0.4%
Foreign Language: Japanese	11	12	15	17	22	3.1%
Foreign Language: Korean	3	0	1	2	1	0.1%
Foreign Language: Latin	4	7	12	9	7	1.0%
Foreign Language: Mandarin	1	2	0	1	2	0.3%
Foreign Language: Pilipino	0	0	0	2	0	0.0%
Foreign Language: Russian	1	2	2	2	1	0.1%
Foreign Language: Spanish	567	595	689	692	591	82.5%
Foreign Language: Vietnamese	2	4	3	3	2	0.3%
Foreign Language Total	663	727	845	851	716	100.0

Appendix A

Timeline for the Discontinuance of Emergency Permits Graphic

Option One

7/1/04

7/1/05

7/1/06

No initial issuance

No renewals

No previously held permits will be reissued. Existing permits will expire monthly during the year through 6/30/05.

Option Two

7/1/04

7/1/05

7/1/06

No initial issuance

Continue renewal issuance

with statement that the permit may be issued one more time and all reissued permits will expire by 6/30/06.

Continue renewal issuance throughout the school year, however all permits will expire on June 30, 2006.

Option Three

7/1/04

7/1/05

7/1/06

Allow initial issuance

With statement that the permit may be issued one more time and all reissued permits will expire by 6/30/06.

No more initial issuance

Continue renewal issuance

with statement that the permits may be issued one more time and all reissued permits will expire by 6/30/06.

Continue renewal issuance throughout the school year, however all permits will expire on June 30, 2006.

Appendix B – Letter to Superintendents for SB 837 Audit

STATE OF CALIFORNIA

GRAY DAVIS, Governor

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

1900 Capitol Avenue
Sacramento, California 95814-4213
(916) 445-0184



OFFICE OF THE EXECUTIVE DIRECTOR

January 4, 2002

Dear:

Pursuant to the provisions of Senate Bill 837 (Statutes 2001, Chapter. 585)(Scott), signed by Governor Davis on October 5, 2001, the California Commission on Teacher Credentialing (CCTC) is requiring additional information from select school districts on employment policies and practices prior to granting requests for long-term emergency permits. As referenced in our recent coded correspondence 01-0016, SB 837 amended Education Code Section 44300 to clarify the activities a district must undertake to recruit suitable credentialed teachers for employment. It also authorizes CCTC to deny requests for long-term emergency permits from districts that do not document their implementation of required recruitment activities. This new statute clarifies CCTC's responsibility to ensure that school districts requesting long-term emergency permits are taking all appropriate measures to recruit and employ suitable, fully credentialed teachers prior to utilizing emergency permits and waivers for employment of certificated staff. To this end we are collecting information on your district's teacher recruitment and support practices through the enclosed survey. Failure to return the survey may result in the Commission denying requests from Delano Joint Union High District for emergency permits during the 2002-2003 school.

California has undertaken a number of efforts in recent years to increase the supply of fully credentialed teachers and to retain those individuals in the state's teacher work force. Among these are the creation of CalTeach; the establishment of six state-funded regional teacher recruitment centers; the development and expansion of paraprofessional, pre-intern, intern, and Beginning Teacher Support and Assessment programs; and implementation of other state initiatives such as "Teaching as a Priority" and "Fiscal and Crisis Management Assistance Team" activities. This multi-faceted approach to teacher recruitment and development is intended to result in the employment of a fully credentialed teacher in every public school classroom in California.

While we are aware that some school districts do not currently have a sufficient supply of suitable credentialed teachers to meet this goal, we intend to continue to expand our teacher development and support efforts and to work with districts to reduce or eliminate

the employment of individuals on emergency permits to serve in California's classrooms. We will require districts that use substantial numbers of emergency permits to explore implementation or expansion of their teacher support and recruitment efforts before we will grant their requests for emergency permits.

Our records indicate that from 1997 through 2001 Delano Joint Union High District has employed 20% or more of your certificated employees on long-term emergency permits and/or variable term waivers. While school districts face a variety of circumstances that create the need to request emergency permits, we trust that you share our concern about the substantial and continuing use of emergency permits in Delano Joint Union High District. In order for us to understand the particular circumstances creating your district's need to employ such individuals in teaching positions, we need for you to provide us with information regarding your efforts to recruit and employ fully credentialed teachers and your level of participation in California's teacher recruitment, development and support programs.

Please find enclosed a survey addressing recruitment activities and teacher support and development programs in which your district may currently participate or plans to participate in the future. Please provide your district's response to this survey, including any requested supporting documentation, at your earliest convenience, but no later than January 25, 2002. Please note that the information provided through this survey will assist us in determining the appropriateness of granting future emergency permits requested by your district. We require a complete and detailed response to aid us in understanding the issues that affect your district and create the need for you to request emergency permits. We will contact you if the information provided through this survey is insufficient for this purpose.

If you have any questions about our request for information, please contact Dr. Michael McKibbin at (916) 445-4438. We are looking forward to working with you to address these issues and to pursue the goal of providing a fully credentialed teacher in every public school classroom in California.

Sincerely,

Sam W. Swofford, Ed.D.
Executive Director